

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.	2:24-cv-07367-MRA-SSC	Date	July 14, 2025
Title	<i>Lily Sophia Lozano v. Claremont Unified School District, et al.</i>		

Present: The Honorable MONICA RAMIREZ ALMADANI, UNITED STATES DISTRICT JUDGE

Melissa H. Kunig

None Present

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

None Present

Attorneys Present for Defendants:

None Present

Proceedings:

(IN CHAMBERS) ORDER TO SHOW CAUSE WHY THIS ACTION SHOULD NOT BE DISMISSED IN SUBSTANTIAL PART FOR LACK OF PROSECUTION AND/OR FAILURE TO TIMELY SERVE

On December 22, 2023, Plaintiff Lily Sophia Lozano (“Plaintiff” or “Lozano”) filed this case against Defendants Claremont Unified School District (“CUSD”), Steven Llanusa (“Llanusa”), Joel Wilson (“Wilson”), Blake Taylor White (“White”), Tandy Robinson (“Robinson”) (collectively, “Defendants”), and Does 1-75 in Los Angeles County Superior Court. ECF 1-1 (Compl.). On August 29, 2024, CUSD removed the action to federal court. ECF 1. On December 11, 2024, the Court issued a Pretrial Scheduling Order, in relevant part setting the Final Pretrial Conference for October 16, 2025, and the deadline to hear non-discovery motions, including motions for summary judgment, for July 24, 2025. ECF 26.

On April 22, 2025, the Court ordered Plaintiff to show cause why this action should not be dismissed for lack of prosecution as to Llanusa, Wilson, and White. ECF 40. In response, on April 23, 2025, Plaintiff filed proof of service as to Llanusa and filed an application for the Clerk to enter default against Llanusa. ECF 41, 44. The Clerk entered default against Llanusa that same day. ECF 45. On April 23, 2025, Plaintiff requested issuance of a Summons as to Wilson, ECF 43, and Plaintiff’s counsel averred in a Declaration that Plaintiff would seek to serve the Complaint as soon as a Summons was issued, ECF 46. In his Declaration, Plaintiff’s counsel did not explain any cause for the months-long delay in serving Wilson. *Id.* The Clerk issued a Summons as to Wilson that same day. ECF 46. To date, still no proof of service as to Wilson has been filed.

As to White, Plaintiff’s counsel filed a separate Declaration, stating that Plaintiff had previously attempted to personally serve White at four of his last known addresses without success, left him a voicemail on April 23, 2025, and mailed and emailed a copy of the Complaint to White’s last four known addresses and associated email addresses. ECF 47 ¶¶ 8-11.

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Plaintiff's counsel believed that White may be incarcerated, and averred that if Plaintiff did not receive a response from White by May 2, 2024, Plaintiff would request authority from the Court to file a motion for service by publication. *Id.* ¶ 13. To date, no proof of service or motion for service by publication has been filed.

On May 6, 2025, Plaintiff and CUSD filed a Notice of Settlement as to CUSD, Llanusa, and Wilson. ECF 49. The parties stated that they estimated all terms of the settlement would be completed, and that the parties would be prepared to file a stipulation of dismissal as to these Defendants within 60 days. *Id.* at 1-2. To date, no stipulation of dismissal has been filed.

On May 13, 2025, the Court issued an Order granting in part and denying in part CUSD's and Robinson's Motions to Dismiss. ECF 50. In relevant part, the Court denied CUSD's Motion in its entirety and Robinson's Motion as to Plaintiff's claims for negligent and intentional infliction of emotional distress. *Id.* at 3-7, 10-11. The Court, however, granted Robinson's Motion as to Plaintiff's remaining claims against her with leave to amend. *Id.* at 7-10, 11-12. The Court ordered Plaintiff to file any amended complaint within 21 days of the Court's Order and that "[a]ny claims not included in a timely-filed amended complaint will be deemed dismissed without leave to amend." *Id.* at 12. No amended complaint was timely filed.

In sum, Plaintiff has not timely served Wilson and White. No stipulation of dismissal as to CUSD, Llanusa, or Wilson was filed by the date indicated in the Notice of Settlement. Because no amended pleading was filed by the court-ordered deadline, the only claims pending against Robinson are those for negligent and intentional infliction of emotional distress. Accordingly, the Court, on its own motion, hereby **ORDERS** Plaintiff to show cause in writing no later than **July 21, 2025**, why this action should not be dismissed against all Defendants except Robinson for lack of prosecution and failure to timely serve.

IT IS SO ORDERED.

Initials of Deputy Clerk

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